



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

VIA ELECTRONIC MAIL

January 18, 2017

Mr. Steve Pittman
868 E CR 800 N
North Manchester, IN 46962

Dear Mr. Pittman:

Re: NPDES Permit No. ING670097
POET Biorefining - North Manchester, LLC
868 E CR 800 N
North Manchester, IN
Wabash County

This agency has reviewed your request, dated December 6, 2016, for voidance of the above-referenced permit. According to the letter all hydrostatic test water discharge activities in associated with this permit have been completed. Our office concurs that in this case the NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. ING670097, issued September 2, 2016, is hereby deemed revoked as of December 31, 2016.

Please note that IDEM shall serve notice of its decision to accept your facility for coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. A copy must also be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, IN 46204

You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.




A State that Works

Recycled Paper

Mr. Steve Pittman
Page 2

If you have any questions regarding this matter, please contact Ms. Sheri L. Jordan of my staff at 317/ 232-8703.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Novak".

Paul Novak, Chief
Permits Branch
Office of Water Quality

Slj/
cc: Wabash County Health Department

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2017 – 1D -GP

DATE OF NOTICE: January 18, 2017

The Office of Water Quality approves the following for **NPDES GENERAL PERMIT** coverage.

TERMINATION

POET BIOREFINING – NORTH MANCHESTER, LLC, Permit No. ING670097, WABASH COUNTY, North Manchester, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Sheri Jordan at 317/232-8703.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.



P / 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

December 6, 2016

Ms. C. Anne Burget
IDEM, Office of Water Quality
100 N. Senate Avenue
Indianapolis, IN 46204

Re: NPDES General Permit # ING67~~00~~097

Ms. Burget:

This letter is to inform you that POET Biorefining – North Manchester would like to close NPDES General Permit # ING6700097. This purpose of the permit has been completed.

Should you have any questions, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Pittman", written over a horizontal line.

Steve Pittman
General Manager

Carter, Charnell

From: Clinton, Sharon on behalf of IDEM OWQ WW Permits
Sent: Thursday, December 08, 2016 8:03 AM
To: Hess, Catherine; Carter, Charnell
Subject: FW: ING6700097 Notice of Termination
Attachments: Letter to close permit.pdf; Notice of Termination Final.pdf

fyi

From: Still, Tara [<mailto:Tara.Still@POET.COM>]
Sent: Thursday, December 08, 2016 7:34 AM
To: IDEM OWQ WW Permits
Subject: ING6700097 Notice of Termination

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hello!


In reference to NPDES permit ING6700097 we at POET Biorefining – North Manchester would like to terminate or close this permit. This was for temporary discharge of waters for a hydrotest of a tank. That work has been completed and thus we no longer have need of this permit.


I have included a letter and a Notice of Termination form.

If this is not appropriate or I need to mail or e-mail another individual, please let me know.

Thank you so much for your consideration.

Tara Still
 EH & S Specialist II


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 North Manchester, IN 46962
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 F/ +1 (260) 774-3750
poet.com


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ING 670097



RULE 6 NOTICE OF TERMINATION/EXCLUSION (NOT/E) LETTER

State Form 54087 (11-09)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NOTE: Storm water run-off associated with industrial activity NPDES General Permit. Rule 327 IAC 15 (rule 6). Please read all instructions before completing this form.

- Return this form by mail to the Indiana Department of Environmental Management, Rule 6 Coordinator at the address listed in the box on the upper-right
- This NOT/E Letter must be completed and submitted to the Indiana Department of Environmental Management within thirty (30) days of the date of closure or transfer.
- This form must be submitted with the required additional information for all facilities claiming an exclusion from Rule 6 permit coverage.

For questions regarding this form and requirements for permit termination/exclusion, contact:

IDEM - Rule 6 Coordinator
100 North Senate Avenue
Mail Code 65-42 Room 1255
Indianapolis, IN 46204

Phone: (317) 233-0202 or
(800) 451-6027, ext. 30202 (within Indiana)

Web Access:
www.idem.IN.gov/4901.htm

PART A: GENERAL INFORMATION FOR FACILITY

1. Facility permit number ING00097

2. Facility name POET Biorefining - North Manchester

3. Facility address (number and street) 868 E 800 N

City North Manchester

ZIP code 46962

County Wabash

PART B: GENERAL INFORMATION FOR RESPONSIBLE INDIVIDUAL

4. Responsible individual name (Last, first, middle) Pittman, Steve

5. Responsible individual title General Manager

6. Responsible individual mailing address (number, street, P.O. Box)
868 E 800 N

City North Manchester

State IN

ZIP code 46962

7. Responsible individual telephone number 260-774-3532

8. Responsible individual FAX number 260-774-3750

9. Responsible individual e-mail address steve.pittman@poet.com

PART C: TERMINATION/EXCLUSION INFORMATION

10. Date facility intends to terminate permit (mm, dd, yyyy) 11/1/2016

By submitting this application and claiming a termination/exclusion you are certifying that the facility no longer authorized to discharge storm water associated with the industrial activity in accordance with 327 IAC 15-6. Discharging storm water associated with industrial activity to waters of the state is unlawful and is not authorized by an NPDES permit.

(Check the appropriate box below for which the termination/exclusion is being requested.)

☐ **Closure of the facility.**

If applicable, the new owner or operator must submit a new Notice of Intent within sixty (60) days of the date of closure.

☐ **Transfer of ownership or operations**

The new owner or operator must submit a new Notice of Intent within sixty (60) days of the date of transfer. If this option for termination is selected, please provide the new owner/operator's contact information in items 11-14. Items 11-14 must be completed in order for your termination to be valid.

☐ **No exposure of all facility industrial activities exposed to storm water.**

A complete "No Exposure Certification" form (U.S. EPA Form 3510-11(10-99) referenced in 327 IAC 15-6-12 (b)(1) must be submitted with this form.

☐ **All storm water run-off from the facility flows into a combined sewer system**

A certification letter from the responsible party of the combined sewer system, on responsible party letterhead, must be submitted with the form.

PART C: TERMINATION/EXCLUSION INFORMATION (continued)

- ☒ **An individual permit has been issued for the facility. Storm water run-off associated with industrial activities is incorporated into the permit**
The permit number assigned to the facility is IN0063002

- ☐ **A condition of "no discharge" of storm water run-off exists.**
Check the condition that is being claimed for the facility
☐ The facility does not have a point source discharge.
☐ The run-off from the facility does not discharge to a "water of the state."

In addition to this form, the operator/owner of the facility must submit:

- A site map that shows the property boundaries, areas of industrial activity, storm water flow direction (represented by arrows), local water bodies (including the distance of the facility from rivers, streams, ponds, ditches, etc), and identification of adjacent properties (farmland, residential, etc.).
- Location of any facility drinking water wells or the location of any private drinking wells that are located within ¼ mile of the property boundary of the facility (only applies to claims of no discharge based on infiltration).

To claim that a facility meets one of the conditions above, the "responsible individual" should carefully evaluate the operations at the facility as well as all potential discharge points. If there is a potential for storm water discharge, the "responsible individual" should not file termination and continue to operate the facility in accordance with 327 IAC 15-6 and all other applicable permits.

A claim of "no discharge" under one of the conditions listed above will be evaluated by the agency. This will be accomplished through an on-site inspection of the facility to verify that the claim is valid. In addition, the agency may request additional information from the "responsible individual" that has filed a claim of "no discharge".

11. New facility name

12. New facility responsible individual

13. New facility responsible individual telephone number

14. New facility responsible individual address (*number and street*)

City

State

ZIP code

PART D: CERTIFICATION AND SIGNATURE


"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of responsible corporate officer or duly authorized representative under 327 IAC 15-4-3(g)

Print name Steve Pittman

Title General Manager

Signature



Date (mm/dd/yyyy)

12/6/2016